

REMARKS

Claims 1-8 are all the claims pending in the application.

Applicant thanks the Examiner for acknowledging the claim to foreign priority and for confirming that the certified copy of the priority document was received.

Applicant also thanks the Examiner for initialing the references listed on form PTO-1449 submitted with the Information Disclosure Statement filed on November 21, 2001.

I. Claim Rejections under 35 U.S.C. § 102(e)

A. Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Nagao et al (U.S. Patent No. 6,433,944). Applicant respectfully traverses this rejection on the following basis.

Claim 1 recites the feature of bringing a slave medium and a master medium into close contact before formation of a lubricating layer. Applicant submits that the claimed combination, including at least this feature, is neither disclosed nor suggested by Nagao.

Nagao discloses bringing a master medium (1) and a slave medium (5) into contact with each other and performing magnetic transfer (see column 6, lines 39-44). The Examiner asserts that Nagao discloses performing the magnetic transfer by bringing the slave medium and the master medium into close contact before formation of the lubricating layer. Applicant respectfully disagrees.

Contrary to the assertion of the Examiner, Nagao performs magnetic transfer by bringing the slave medium and the master medium into close contact after formation of the lubricating

layer, not before formation of the lubricating layer (see column 8, lines 29-36 and column 12, lines 28-31).

Accordingly, Applicant respectfully submits that Nagao fails to disclose or suggest all of the features of claim 1 and, therefore, respectfully requests that the rejection be reconsidered and withdrawn.

Independent claim 2, as amended, recites the feature of a recording plane of a slave medium and an information bearing plane of a master medium which are brought into close contact with each other, with liquid in an amount of 2 to 20 mg/m² intervening therebetween. Applicant submits that the claimed combination, including at least this feature, is neither disclosed nor suggested by Nagao.

Nagao discloses a master medium (1) and a slave medium (5) which are brought into contact with each other and performing magnetic transfer. Nagao discloses a master carrier in which lubricant is present on a hard protective film which is formed on a slave medium (see col. 8, lines 18-32). Nagao, however, does not disclose the feature of a slave medium and information bearing plane of a master medium brought into close contact with each other, with liquid in an amount of 2 to mg/m² intervening therebetween, as is required by claim 2.

According to the present invention, because the amount of the lubricant (i.e., 2 to 20 mg/m²) is sufficiently large, the lubricant can spread onto the overall contact surfaces of the master medium and the slave medium. Consequently, a uniform close contact between the master medium and the slave medium can be realized. In Nagao, the thickness of the lubricant

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coating is disclosed as being from 1nm to 10nm, this amount being smaller than the 2 to 20 mg/m² required by claim 2.

Accordingly, as Nagao fails to disclose or suggest all of the features of claim 2, Applicant respectfully requests that the rejection be reconsidered and withdrawn. Claims 3-6 depend from claim 2 and therefore incorporate all of the features thereof. Accordingly, Applicant submits that these claims are patentable at least by virtue of their dependency.

II. Claim Rejections under 35 U.S.C. § 103(a)

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hamada et al (U.S. Patent No. 6,469,848) in view of Elliott et al. (U.S. Patent No. 5,669,979). Applicants respectfully traverse this rejection on the following basis.

Regarding claims 7 and 8, the Examiner cites Hamada for disclosing a method and apparatus for cleaning a magnetic transfer medium. The Examiner, however, recognizes that Hamada fails to teach or suggest the specific features set forth in claims 7 and 8. In an attempt to cure this deficiency, the Examiner applies Elliott and asserts that it would have been obvious to one of ordinary skill in the art to modify the master medium of Hamada with the cleaning method of Elliott. Applicant respectfully disagrees.

The thrust of the Hamada reference lies in removing dust from the surface of a master recording medium. Hamada's solution involves forming a master recording medium (2) having a slightly concave center surface, wherein the master recording medium (2) is stacked on a slave recording medium (1). Due to the concave surface of the master recording medium (2), the

surfaces of both recording mediums can be cleaned by blowing a compressed gas in between the master recording medium and the slave recording medium (see Fig. 6; column 7, lines 36 – 59 and column 10, lines 51-59).

As such, Hamada solves the dust problem by utilizing a master recording medium having a concave surface. Therefore, given the overall teachings of Hamada, it would be antithetical to modify this reference to utilize a plasma discharge for removing dust. This would destroy Hamada's particular contribution to the art; namely, removing dust by forming a master recording medium having a concave surface, thereby enabling a gas to be injected in between the master recording medium and a slave recording medium.

Thus, Applicant respectfully submits that the modifications to Hamada advocated by the Examiner, even if Elliott were considered, would not have been apparent to those skilled in the art. The Examiner's rationale for combining and modifying the references; namely, to remove dust particles from the medium (see Office Action at page 4), is simply not persuasive. Hamada, without modification, already adequately addresses this need.

In other words, one of ordinary skill in the art would see no reason to subject the master recording medium of Hamada to the cleaning process of Elliott because Hamada already provides the necessary cleaning. Furthermore, the Examiner has not provided any objective teaching in Hamada which would suggest that the cleaning process in Hamada was insufficient.

Based on the foregoing, Applicant respectfully requests that the rejection of claims 7 and 8 be reconsidered and withdrawn.

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III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Submitted herewith is a Petition For Extension of Time with fee and an Excess Claim Fee Payment Letter with fee.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.


Respectfully submitted,

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